

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ROBERT NOCK,

Plaintiff,

- against -

SPRING ENERGY RRH, LLC, et al,

Defendants.  
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: 23-CV-1042 (JHR) (RWL)  
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: **ORDER**  
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**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

This order resolves Plaintiff’s letter motion to compel further discovery from non-party AnswerNet. (See Dkt. 192.)

1. AnswerNet is not required to produce calls related to clients other than Defendants. Plaintiff’s suggestion that any such recordings will help identify Mr. Jabbar’s voice borders on the frivolous and is wholly disproportionate to the needs of the case.

2. As for AnswerNet “server logs,” Plaintiff, frustrated by the fact that AnswerNet has no such logs to produce, and that AnswerNet apparently “has refused Nock’s request for its consent to serving Amazon with a subpoena,” now asks that the Court grant leave to serve Amazon with a subpoena for certain server logs. (Dkt. 192 at 2.) That request, expressed in a single sentence, is denied as inapt. Plaintiff can pursue third-party discovery as permitted under the Federal Rules of Civil Procedure and within the confines of the current schedule for completion of discovery; if a third-party fails to comply with a proper subpoena, Plaintiff can pursue a motion to compel if warranted and justified.

3. AnswerNet’s demand that AnswerNet produce communications between AnswerNet counsel and Defendants’ counsel is denied. As is evident from the privilege

log produced by AnswerNet, those communications post-date commencement of this litigation and concern discussions about identifying and producing documents in response to discovery requests, payment for costs of responding to discovery, and logistics of meetings. Regardless of any protection that may or may not apply, the discovery sought, which essentially is discovery on discovery, is not proportional to the needs of the litigation.

The Clerk of Court is directed to terminate the letter motion at Dkt. 192.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal flourish extending to the right.

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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: November 18, 2024  
New York, New York

Copies transmitted this date to all counsel of record.